

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VALERIE SOTO,

Plaintiff,

vs.

CLARK COUNTY SCHOOL DISTRICT,

Defendant.

Case No. 2:16-cv-02063-JCM-NJK

ORDER

(Docket No. 22)

Pending before the Court is the parties' stipulation to extend discovery and related deadlines. Docket No. 22. The parties ask the Court to extend current discovery deadlines by 90 days pending the Court's ruling on Defendant's motion to dismiss. *Id.* at 2. A motion to extend deadlines in the Court's scheduling order must be supported by a showing of good cause for the extension. Local Rule 26-4; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.3d 604, 608-09 (9th Cir. 1992). The good cause inquiry focuses primarily on the movant's diligence. *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir. 2000). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. The Court has broad discretion in supervising the pretrial phase of litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

In this case, it appears that the parties have not diligently conducted discovery, as they have thus far only exchanged initial disclosures and expert witnesses. Docket No. 22 at 1-2. Rather, the parties have improperly self-imposed a stay pending resolution of the motion to dismiss. *See* LCR 45-1 ("All stipulations . . . must be filed on the docket and will *not be effective until approved by the*

1 court”) (emphasis supplied); *Painter v. Atwood*, 2014 WL 1089694, at *1 n.3 (D. Nev. Mar. 18,
2 2014); *Stabley v. Bank of Am.*, 2014 WL 576234, at *3 (D. Nev. Jan. 24, 2014).

3 Accordingly, the parties’ stipulation to extend discovery and related deadlines, Docket No.
4 22, is hereby **DENIED** without prejudice. The parties may submit a renewed stipulation that
5 provides appropriate authority to support the relief they seek, no later than March 17, 2017.

6 IT IS SO ORDERED.

7 DATED: March 14, 2017.

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NANCY J. KOPPE
United States Magistrate Judge